

Remarks

A. Pending Claims

Claims 1-45 are pending. Claims 1, 9-11, 37, and 38 have been amended. Claims 39-45 are new.

B. 35 U.S.C. §101

The Examiner rejected claim 38 under 35 U.S.C. §101 because the claims were directed to a carrier medium. Applicant respectfully disagrees with these rejections. Nevertheless, to expedite prosecution of the present application, Applicant has amended claim 38 to be directed to a "computer readable medium". Applicant submits that claim 38 is allowable.

C. The Claims Are Not Anticipated by Ericson Pursuant to 35 U.S.C. § 102(e)

The Examiner rejected claims 1-26 and 31-37 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,836,555 to Ericson et al. ("Ericson"). Applicant respectfully disagrees with these rejections.

The standard for "anticipation" is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed. Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Amended claims 1, 37, and 38 describe combinations of features including:

for at least one of the information fields of the document, comparing handwriting in the information field to at least one handwriting profile representation from at least two information fields of at least one other document

The Examiner states:

As to claim 1, Ericson discloses a method of assessing a document using a computer system... comprising: ...
comparing handwriting in at least one information field of the document to at least two handwriting profile representations from at least one information field of at least one other document (fig 1, column 13, lines 39-45) [emphasis added]

Claim 1, however, is directed to a method that includes comparing handwriting in an information field to at least one handwriting profile representation from at least two information fields of at least one other document. Applicant respectfully submits that Ericson, alone or in combination with the other cited art, does not teach or suggest this feature of claim 1. Ericson states:

The server unit starts by comparing the signature in the payment information with the previously-stored signature in column 34 in order to check that the signatures are the same. Then the server unit compares the user identity in the payment information with the user identity which is associated with the region in column 35 in order to check that they are also the same.
(Ericson, column 13, lines 39-45)

Ericson appears to disclose a server unit making two comparisons: comparing a signature with a previously stored signature, and comparing the user identity in the payment information with the user identity which is associated with a particular "region". The region appears to be a region of an imaginary surface that has the information on position coding pattern (e.g., the distinctive pattern of dots on a cheque) chosen for the particular user (See, e.g., Ericson, column 13, lines 54-55; column 8, lines 22-28; Fig. 1; Fig. 4; column 3, lines 45-53; column 11, lines 54-63). In addition, each of the two comparisons (signature and region) appears to be based on different information on the cheque. Ericson, alone or in combination with the other cited art, does not appear to teach or suggest, for at least one of the information fields of the document, comparing handwriting in that particular information field to at least one handwriting profile representation from at least two information fields of at least one other document.

For at least the reasons set forth above, Applicant submits that claims 1, 37, and 38 and the claims dependent thereon are not anticipated by the cited art.

Applicant submits that many of the claims dependent on claim 1 are separately patentable. For example, amended claim 9 describes: "for at least one information field of the document, comparing handwriting in the information fields of the document to at least two handwriting profile representations obtained from at least two information fields of at least one other document. The cited art does not appear to teach or suggest at least this feature of claim 9, in combination with the other features of the claim.

Amended claim 10 describes: "for at least two information fields of the document, comparing the information field of the document to at least one handwriting profile representation obtained from at least two information fields of at least one other document." The cited art does not appear to teach or suggest at least this feature of claim 10, in combination with the other features of the claim.

Amended claim 11 describes: "for at least two information fields of the document, comparing the information field of the document to at least two handwriting profile representations, each of the handwriting profile representations being obtained from at least two information fields of at least one other document." The cited art does not appear to teach or suggest at least this feature of claim 11, in combination with the other features of the claim.

D. New Claims

New claim 39 describes a combination of features including: "determining whether handwriting in at least one of the information fields of the document matches an entry in a lexicon." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

New claim 40 describes a combination of features including: "determining whether a payee name in an information field of the document matches at least one payee name in a lexicon." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

New claim 41 describes a combination of features including: "comparing pre-printed information in the document against a stock profile representation associated with at least one other document, the method further comprising assessing potential fraud based on the comparison of the pre-printed information against the stock profile representation." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

New claim 42 describes a combination of features including: "comparing handwriting in the information field to at least one handwriting profile representations from at least two information fields of at least one other document comprises retrieving cross-field correlation information relating to the information field." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

New claim 43 describes a combination of features including: "wherein at least one of the handwriting profile representations is based on a writing profile comprising data on at least one cross-field relationship between at least two information fields in the document, wherein the comparison of handwriting in the information field to at least one handwriting profile representation from at least two information fields of at least one other document is based on cross-field relationship data retrieved from the writing profile." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

New claim 44 describes a combination of features including: "wherein a first information field of the document is a legal or courtesy amount field, wherein a second information field of the document is a payee field, the method further comprising determining whether the amount in the first information field of the document matches at least one amount from a lexicon of one or more amounts associated with the payee." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

New claim 45 describes a combination of features including: "at least one information field cross correlation table, wherein the comparison of handwriting in the information field to at

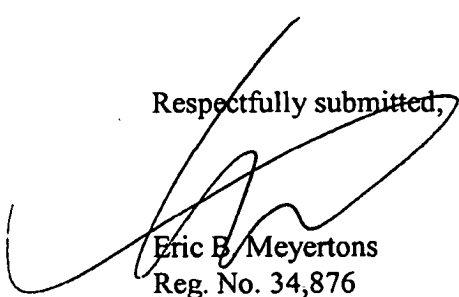
least one handwriting profile representation from at least two information fields of at least one other document is based on cross-field relationship data retrieved from the information field cross correlation table." Applicant submits that the combination of features of this claim are not taught or suggested by the cited art.

E. Additional Comments

Based on the above, Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

A fee authorization form is enclosed for excess claim fees. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account Number 50-1505/5053-00514/EBM.

Respectfully submitted,


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